

AGREEMENT

THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1979,  
by and between the City of Boston, a municipal corporation of the  
Commonwealth of Massachusetts, acting by the Edward Ingersoll Browne  
Commission (The Commission), a public charitable body established by  
Chapter 5, of the City of Boston Ordinances of 1975, and the Boston  
Redevelopment Authority (The Authority), a public body, politic and corporate,  
established under the provisions of Chapter 121 B of the Massachusetts  
General Laws, (Ter. Ed.). as amended.

WHEREAS, the Commission after consulting with the Browne Fund  
Committee consisting of the following: a member of the Boston Society of  
Landscape Architects, a member of the Art Commission, the Parks & Recreation  
Commissioner and the Public Works Commissioner, has proposed certain projects  
to be erected and funded according to the testamentary wishes of the late  
Edward Ingersoll Browne, and

WHEREAS, by Order of the City Council of the City of Boston, dated  
September 13, 1978, the Commission has received an appropriation to be met  
by the accumulated income of the Edward Ingersoll Browne Fund, and

WHEREAS, the Commission desires to facilitate achievement of the  
goals of the late Edward Ingersoll Browne, in part, by restoring Post Office  
Square, currently one of the more neglected parks in downtown Boston; and

WHEREAS, the Commission recognizes its need for professional, engineering  
and architectural expertise in the carrying out and the managing of the  
restoration of Post Office Square; and



WHEREAS, the Authority by its Director and his professional staff and personnel have the necessary resources and appropriate facilities to complete the restoration according to the desires and plans of the Commission, as proposed at the Browne Fund Committee meeting on October 31, 1977.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The Commission hereby agrees to and does appoint the Authority, its exclusive and sole agent to supervise every phase of the restoration of Post Office Square, as indicated in the plans attached hereto as Exhibit A, B and C.

2. Subject to the approval and confirmation of the members of the Commission, the Authority by its Director shall be and is hereby empowered in the name of the Commission:

(a) To enter into contracts with architects, engineers, general contractors and sub-contractors for the carrying out of the work and repairs necessary for the complete renovation of Post Office Square.

(b) To obtain bills, invoices, and statements for construction and professional work done at the Post Office Square project and to have exclusive authority in the approval or disapproval of such bills and statements for payment. When the Authority approves for payment a bill or invoice, subsequent written approval by the Commission shall also be obtained before disbursement of funds of the Commission.

3. The Commission shall upon execution of this Agreement deposit with the Authority funds in the amount of \$220,000.00 to be held for the payment of approved bills and invoices for work carried out under the restoration program. Any interest of the funds deposited shall inure to the Edward Ingersoll Browne Fund.

4. Upon completion of the Post Office Square project the Authority shall return any unexpended funds to the Commission, and shall furnish a written report delineating all costs and expenditures to the Commission.

5. The Commission agrees to indemnify and find harmless the Authority against all claims of whatever nature, arising out of the project.

6. This Agreement shall be terminated upon completion of all phases of the Post Office Square project.



IN WITNESS WHEREOF the said parties hereto set their hands and seals  
on this \_\_\_\_\_ day of \_\_\_\_\_, 1979.

Edward Ingersoll Browne Commission

by

\_\_\_\_\_  
Kevin H. White - Chairman

\_\_\_\_\_  
Christopher J. Iannella

\_\_\_\_\_  
Lowell L. Richards, III

Boston Redevelopment Authority

by

\_\_\_\_\_  
Robert Ryan

Approved as to form:

\_\_\_\_\_  
General Counsel - BRA

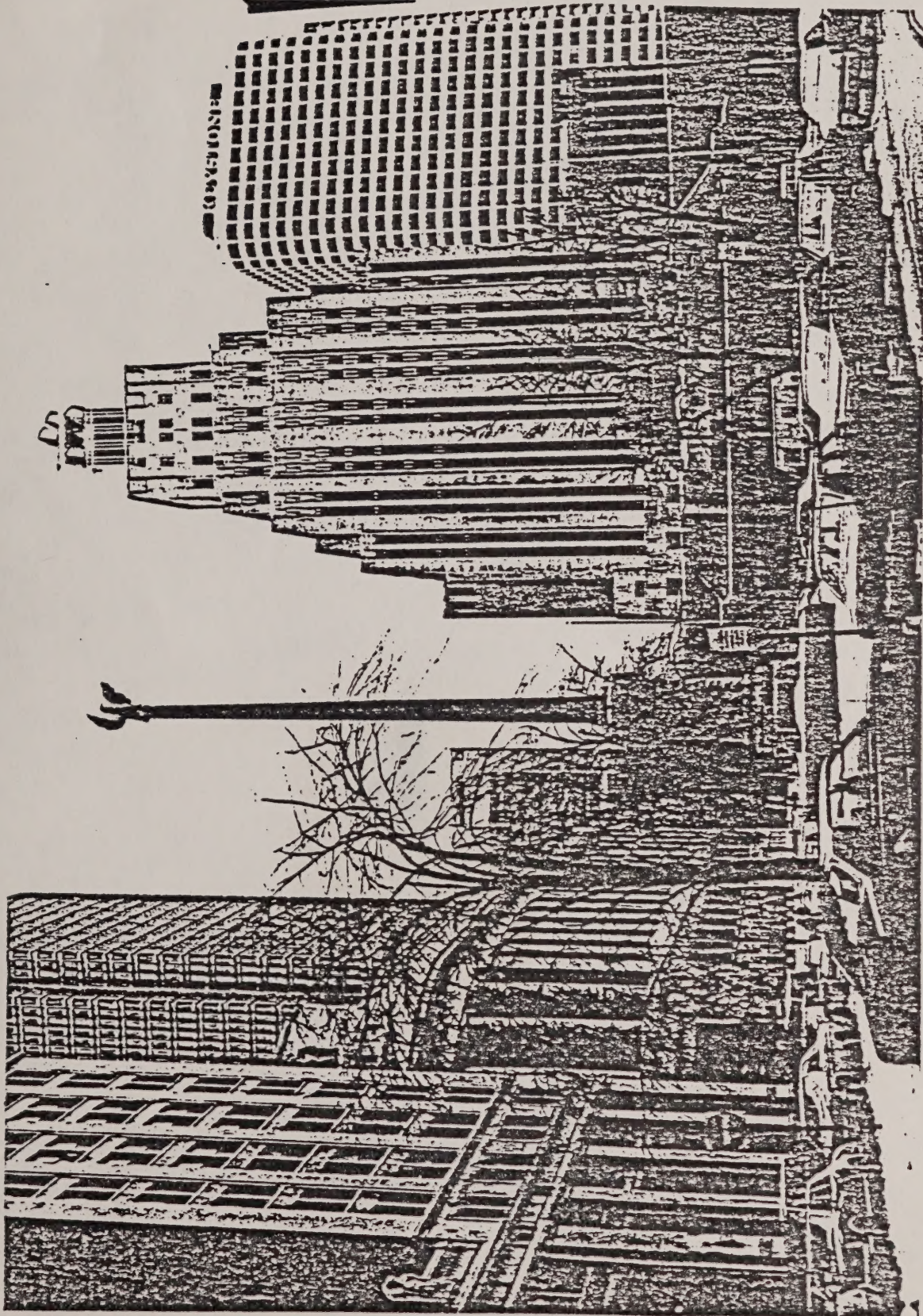
\_\_\_\_\_  
Corporation Counsel - City of Boston



## POST OFFICE SQUARE

EXISTING: The shabbiest park in downtown Boston today, Post Office Square is characterized by neglect, worn out grass, broken benches and other unsightly furnishings, a neglected fountain, and few amenities for the hundreds of daily summer users.

EXHIBIT A

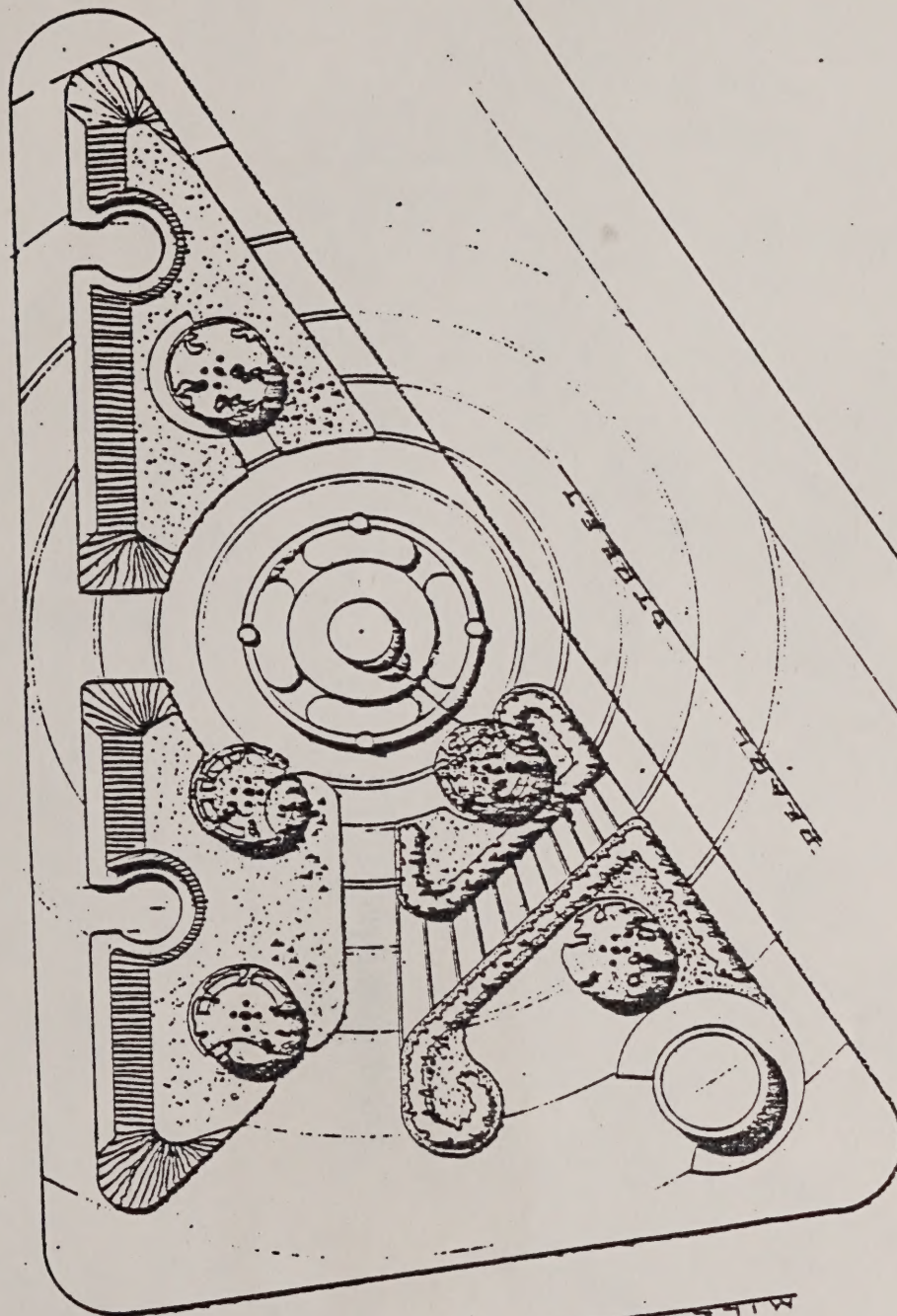




# EXHIBIT B

PROPOSAL: The preliminary design will be developed and refined with additional input from the Browne Committee. New lighting, seating areas and paving are needed to set off the Angell Memorial Fountain and existing trees.

CONGRUOUS STREET



## EXHIBIT C

### POST OFFICE SQUARE

Today Post Office Square is a neglected area, consisting of a poorly maintained fountain, unsightly landscaping and broken furniture. The plan for restoration will retain the basic structure of the Square, such as the outer boundaries, the existing trees and the fountain. Within these elements, new landscaping, furniture, lighting and perhaps an outdoor kiosk will be built. Specific artwork will be integrated within the overall concept, such as bronze plaques in the sidewalk. The existing fountain will be restored and embellished.



May 29, 1979

## MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN

SUBJECT: EDWARD INGERSOLL BROWNE FUND TRUST PROJECT  
PERMISSION TO ENTER INTO CONTRACT WITH CITY OF BOSTON ACTING  
BY THE BROWNE FUND COMMISSION  
POST OFFICE SQUARE RESTORATION

In 1901 the City received a bequest from Edward Ingersoll Browne to be used for the "adornment and benefit" of the City through the "erection of the statues, monuments, fountains for men and beasts and for the ornament of its streets, ways, squares and parks..." The Browne Fund Commission established by City ordinance in 1975 is responsible to the City for the investment of Browne Trust funds and the release of those funds for proposed projects.

The Commission, Mayor and City Council have appropriated Browne Fund money for the restoration of Post Office Square. The restoration plan includes new lighting, benches and artwork as well as repairs to the fountain.

The Commission has requested that the Boston Redevelopment Authority undertake this project because the Authority possesses the necessary professional, engineering, and architectural expertise to do this work.

In order to carry out this role, it will be necessary to enter into a contract with the City of Boston acting by the Browne Fund Commission making the Authority the agency of the Commission responsible for the supervision of all phases of the work including entering into contracts for professional services and construction, and preparing a report on the use of funds. Under the terms of the proposed contract all funding would be provided by the Browne Fund.

It is recommended that the Authority enter into this contract with the City of Boston acting by the Browne Fund Commission for the restoration of Post Office Square.

VOTED: That the Director is authorized to enter into a contract with the City of Boston acting by the Browne Fund Commission to undertake the restoration of Post Office Square.



